



Environmental Justice Fact Sheet

National Environmental Justice Advisory Council

BACKGROUND

EPA's commitment to environmental justice began in 1992, as a response to public concerns, when the Agency created an Office of Environmental Justice and implemented a new organizational infrastructure to integrate environmental justice into EPA's policies, programs, and activities. In 1993, the Agency established the National Environmental Justice Advisory Council (NEJAC) in order to obtain independent advice and recommendations from all stakeholders involved in the environmental justice dialogue.

Obtaining Stakeholder Advice

The NEJAC was established by charter pursuant to the Federal Advisory Committee Act (FACA) on September 30, 1993. The NEJAC consists of members from community-based groups; business and industry; academic and educational institutions; state

and local governments; tribal governments and indigenous organizations; and non-governmental and environmental groups. The Council meets once each year and provides a forum focusing on human health and environmental conditions in all communities, including minority populations and low-income populations.

The issues around environmental justice are often complex and involve strongly divergent viewpoints. The NEJAC provides an environment for all parties to express their concerns and to formulate independent, cogent, and timely advice and recommendations to EPA on major public policy issues. In this way, the NEJAC assists in integrating environmental justice into EPA's policies, programs, and activities.

ACTIVITIES FOR FY2006

On August 16, 2005, EPA Administrator Stephen L. Johnson approved the renewal of the charter for the NEJAC, which provides the Administrator with advice and recommendations with respect to integrating environmental justice into EPA's programs, policies, and day-to-day activities. During FY2006:

- NEJAC will provide advice and recommendations regarding future directions for the Agency to ensure meaningful involvement, collaborative problem-solving and partnership-building for its environmental justice stakeholders.
- EPA will convene a workgroup to provide advice and recommendations about the environmental justice issues related to the cleanup and rebuilding of areas affected by Hurricanes Katrina and Rita.
- NEJAC will submit a report of recommendations about the unintended impacts associated with EPA Brownfields redevelopment and Superfund revitalization efforts. The report examines how such projects affected five communities and offers recommendations about what EPA can do to avoid and ameliorate unintended and undesirable impacts and to encourage more positive outcomes.

NEJAC ACCOMPLISHMENTS

As a committee consisting of representatives of broad spectrum of stakeholders, the NEJAC has developed consensus proposals to the Agency for creative and collaborative strategies to better address the human health and environmental protection needs of disadvantaged and underserved communities and to ensure that the goal of environmental justice is being integrated in Agency policies, programs, and priorities.

From **1993 to 1996**, the NEJAC produced a number of products and provided consensus advice to help the Agency focus its environmental justice agenda. For example, the initial draft of EPA's Environmental Justice Strategy required by Executive Order

EPA's Commitment to Environmental Justice

On November 4, 2005, Administrator Stephen L. Johnson issued a memorandum reaffirming EPA's commitment to environmental justice for all people, regardless of race, color, national origin, or income. This means not only protecting human health and the environment for everyone, but also ensuring that all people are treated fairly and are given the opportunity to participate meaningfully in the development, implementation, and enforcement of environmental laws, regulations, and policies.

In recognizing that minority and/or low-income communities frequently may be exposed disproportionately to environmental harms and risks, EPA works to protect these and other burdened communities from adverse human health and environmental effects of its programs, consistent with existing environmental and civil rights laws, and their implementing regulations, as well as Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," Feb. 11, 1994).

The memorandum also identifies eight (8) national environmental justice priorities and directs the integration of environmental justice into EPA's planning and budgeting processes, including the Agency's Strategic Plan for Fiscal Years 2006-2011. These national priorities include: reducing asthma attacks; reducing exposure to air toxics; increasing compliance of regulations; reducing incidence of elevated blood lead levels; ensuring that fish and shellfish are safe to eat; ensuring that water is safe to drink; and using collaborative problem-solving to address environmental and/or public health concerns.

EPA will continue to fully implement its programs, policies, and activities to ensure that they do not adversely affect populations with critical environmental and public health issues, including minority and low-income communities.

12898 was reviewed and substantive recommendations made; the Office of Solid Waste and Emergency Response's Facility Siting Criteria document was reviewed; the Model Plan for Public Participation was published and distributed widely; and a public forum protocol was developed and subsequently used as the model for the first Interagency Public Meeting on Environmental Justice held January 19 and 20, 1995, in Atlanta, Georgia. During the summer of 1995, public dialogues were conducted in five major cities concerning possible solutions to urban crises resulting from the loss of economic opportunities caused by pollution and the relocation of businesses. These dialogues were intended to provide an opportunity, for the first time, for environmental justice advocates and residents of impacted communities to systematically provide input regarding issues related to the EPA's Brownfields Economic Redevelopment Initiative. In May 1996, the NEJAC and EPA co-sponsored a Roundtable on Superfund Relocation issues in Pensacola, Florida, to help EPA determine how relocation should be considered during any cleanup decision. The first NEJAC/EPA Enforcement Roundtable was held in San Antonio, Texas.

During the **1997 to 1999** period, the second NEJAC/EPA Enforcement Roundtable was held in Durham, North Carolina; the US-Mexico Border XXI program proposal was reviewed; and the Agency's enforcement and compliance work plan was commented on. In an effort to provide guidance to EPA regarding international issues related to environmental justice, the first Roundtable on Environmental Justice on the U.S./Mexico Border was held August 19 to 21, 1999 in National City, California. The objectives of that Roundtable were to define and trace the evolution of the national and international environmental justice issues; identify environmental justice issues along the joint U.S./Mexico border; provide an overview of current border programs and explore ways to address concerns; develop environmental justice border policies; and identify existing enforcement and cleanup processes.

During the **1999 to 2005** period, NEJAC restructured its meetings from addressing site-specific issues to addressing national policy issues. In recent meetings, the following issues have been discussed and reports of recommendations submitted to the Administrator:

- **November 30 to December 2, 1999, Washington, D.C.** – What factors should be considered by a federal agency, as well as state or local agencies with delegated permitting authority in the decision making process prior to allowing a new facility to operate in a community that already may have a number of such facilities?
- **May 23 to 26, 2000, Atlanta, Georgia** – Is there a direct correlation between the environment and the public health problems of the resident of communities that are located in close proximity to multiple pollution-generating facilities?
- **December 11 to 14, 2000, Washington, D.C.** – How have the Federal agencies succeeded in integrating environmental justice into their programs, operations, policies, and activities pursuant to Executive Order 12898?
- **December 3 to 6, 2001, Seattle, Washington** – How should the EPA improve the quality, quantity, and integrity of our Nation's aquatic ecosystems in order to protect the health and safety of people consuming or using fish, aquatic plants, and wildlife?
- **December 9 to 12, 2002, Baltimore, Maryland** – How can EPA promote innovation in the field of pollution prevention, waste minimization, and related areas to more effectively

ensure a clean environment and quality of life for all peoples, including low-income, minority and tribal communities?

- **April 13 to 16, 2004, New Orleans, Louisiana** – To ensure environmental justice for all communities and tribes, what short- and long-term actions should the Agency take in proactively implementing the concepts contained in its Framework for Cumulative Risk Assessment?

In 2004, the members also approved and submitted the following reports of recommendations:

- *Meaningful Involvement and Fair Treatment by Tribal Environmental Regulatory Programs*, which discusses EPA's role in helping tribes develop processes for effective public participation and due process as they develop and implement federally-approved environmental programs.
- *Environmental Justice and Federal Facilities, Recommendations for Improving Stakeholder Relations Between Federal Facilities and Environmental Justice Communities*, which presents recommendations for improving relationships between stakeholders involved in the cleanup of contaminated federal facility sites.

PUBLIC MEETINGS

Because NEJAC is chartered under FACA, it is required to hold public meetings to receive comments, questions, and recommendations regarding environmental justice issues. Each NEJAC meeting has the minimum of two hours for members of the public to register and make statements before the NEJAC. The comments are recorded and maintained as a part of the public record of each meeting. Each meeting record is available to the public on the Internet (*see box below*) or in Room 2224, Ariel Rios Building, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20004. In some cases, hard copies are available. Call the *OEJ Information Line* at 1-800-962-6215.

MEMBERSHIP

Careful consideration is given to the appointment of each member to ensure that the point of view of every stakeholder group is represented. Members have staggered terms, and the membership is rotated to provide the widest participation possible by the greatest number of stakeholders.

INTERNET ACCESS

Information about the NEJAC, including reports and publication is available on the Internet (*see the box below*), where you will be prompted to select a variety of options for information about NEJAC. You will be given an opportunity to add your name to the Office of Environmental Justice's mailing list and be able to "link" to other sites of interest.

NEJAC KEY POINTS OF CONTACT

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| Chair | <i>Richard Moore</i> |
| Designated Federal Officer (DFO) | <i>Mr. Charles Lee 202-564-2597</i> |
| Program Manager | <i>Ms. Victoria Robinson 202-564-6349</i> |

To receive the most

UP-TO-DATE INFORMATION about the NEJAC:

Call toll-free at: 1-800-962-6215 OR

Go online at:

<http://www.epa.gov/compliance/environmentaljustice>